

RESOLUTIONS

day for the first one hundred and twenty (120) days only of each Session of the Legislature as the maximum compensation for Members of the Legislature and limiting the Regular Session to one hundred and forty (140) days."

Sec. 3. The Governor of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time as required by the Constitution and Laws of this State.

Adopted by the House, April 28, 1959: Yeas 110, Nays 27; House concurred in Senate amendments, May 12, 1959: Yeas 106, Nays 37; passed, as amended, by the Senate, May 11, 1959: Yeas 22, Nays 7. Approved May 30, 1959.

PROPOSED CONSTITUTIONAL AMENDMENT—LOANS AND LENDERS—CLASSIFICATION AND REGULATION

H. J. R. No. 6

Proposing an Amendment to Section 11, Article XVI of the Constitution of the State of Texas, so as to give the Legislature authority to classify loans and lenders, license and regulate lenders, define interest, fix maximum rates of interest, and provide for a maximum rate of interest of ten per centum (10%) per annum in the absence of legislation setting maximum rates of interest; providing that the rate of interest shall not exceed six per cent (6%) per annum in contracts where no interest rate is agreed upon; providing for the right of appeal and trial de novo in the event any regulatory agency cancels or refuses to grant any permit; providing for the necessary election and the form of the ballot; and providing for the necessary proclamation and publication.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 11, Article XVI of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Section 11. The Legislature shall have authority to classify loans and lenders, license and regulate lenders, define interest and fix maximum rates of interest; provided, however, in the absence of legislation fixing maximum rates of interest all contracts for a greater rate of interest than ten per centum (10%) per annum shall be deemed usurious; provided, further, that in contracts where no rate of interest is agreed upon, the rate shall not exceed six per centum (6%) per annum. Should any regulatory agency, acting under the provisions of this Section, cancel or refuse to grant any permit under any law passed by the Legislature; then such applicant or holder shall have the right of appeal to the courts and granted a trial de novo as that term is used in appealing from the justice of peace court to the county court."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1960, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment giving the Legislature authority to classify loans and lenders, license and regulate lenders, define interest and fix maximum rates of interest; and providing for a maximum rate of interest of ten per centum (10%) per annum in the absence of legislation fixing maximum rates of interest."

"AGAINST the Constitutional Amendment giving the Legislature authority to classify loans and lenders, license and regulate lenders, define interest and fix maximum rates of interest; and providing for a maximum rate of interest of ten per centum (10%) per annum in the absence of legislation fixing maximum rates of interest."

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Sec. 3. The Governor shall issue the necessary proclamation for the said election and have the same published as required by the Constitution and laws of this State.

Adopted by the House, February 24, 1959: Yeas 129, Nays 17; House concurred in Senate amendments, April 28, 1959: Yeas 110, Nays 29; passed, as amended, by the Senate, April 20, 1959: Yeas 23, Nays 7. Approved May 30, 1959.

PROPOSED CONSTITUTIONAL AMENDMENT—CERTAIN HOSPITAL DISTRICTS—CREATION

H. J. R. No. 39

Proposing an amendment to Article IX of the Constitution of the State of Texas by adding thereto new Sections to be known as Sections 6, 7, and 8, to provide that the Legislature may authorize the creation of Hospital Districts co-extensive with Lamar County, Hidalgo County, and County Commissioners Precinct No. 4 of Comanche County, having certain stated powers and duties and subject to certain stated limitations; providing that any enabling Acts shall not be invalid because of their anticipatory character; providing for an election; prescribing the form of ballot and providing for the necessary proclamation and publication.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article IX of the Constitution of the State of Texas be, and the same is hereby, amended by adding the following Sections which shall read as follows:

"Sec. 6. The Legislature may by law authorize the creation of a Hospital District co-extensive with Lamar County, having the powers and duties and with the limitations presently provided in Article IX, Section 5(a), of the Constitution of Texas, as it applies to Wichita County, except that the maximum rate of tax that the said Lamar County Hospital District may be authorized to levy shall be seventy-five cents (75¢) per One Hundred Dollar (\$100) valuation of taxable property within the District, subject to district taxation.

"Sec. 7. The Legislature may by law authorize the creation of a Hospital District co-extensive with Hidalgo County, having the powers and duties and with the limitations presently provided in Article IX, Section 5(a), of the Constitution of Texas, as it applies to Hidalgo County, except that the maximum rate of tax that the said Hidalgo County Hospital District may be authorized to levy shall be ten cents (10¢) per One Hundred Dollars (\$100) valuation of taxable property within the District subject to district taxation.

"Sec. 8. The Legislature may by law authorize the creation of a Hospital District to be co-extensive with the limits of County Commissioners Precinct No. 4 of Comanche County, Texas.

"If such District is created, it may be authorized to levy a tax not to exceed seventy-five cents (75¢) on the One Hundred Dollar (\$100) valuation of taxable property within the District; provided, however, no tax may be levied until approved by a majority vote of the participating resident qualified property taxpaying voters who have duly rendered their property for taxation. The maximum rate of tax may be changed at subsequent elections so long as obligations are not impaired, and not to exceed the maximum limit of seventy-five cents (75¢) per One Hundred Dollar (\$100) valuation, and no election shall be required by subsequent changes in the boundaries of the Commissioners Precinct No. 4 of Comanche County.